

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

CRAIG ALAN HAIRSTON,)	
Petitioner,)	
)	
v.)	Civil Action No. 12-359
)	
L. FOLINO, et al.,)	
Respondents.)	

O R D E R

AND NOW, this 31st day of August, 2012, after a petition for a writ of habeas corpus was filed by the petitioner, Craig Alan Hairston, and after a Report and Recommendation of the United States Magistrate Judge was issued, and the parties were accorded an opportunity to file written objections thereto, and upon consideration of the objections filed by the petitioner, and after independent review of the petition and the record, and upon consideration of the Report and Recommendation of the Magistrate Judge, which is adopted and incorporated as the opinion of this Court,

IT IS ORDERED that the petition of Craig Alan Hairston for a writ of habeas corpus is dismissed, and that a certificate of appealability is denied, because reasonable jurists could not conclude that a basis for appeal exists. The Petitioner's Motion for Appointment Counsel (Document No. [5]) is denied, as moot.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the F.R.App.P., if the petitioner desires to appeal from this Order, he must do so within thirty (30) days by filing a notice of appeal as provided by Rule 3 F.R.App.P.

s/Nora Barry Fischer
United States District Judge

cc/ecf: Magistrate Judge Robert C. Mitchell

Counsel of Record

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